



COMMANDER, NAVAL SURFACE FORCE  
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AND  
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COMNAVSURFLANTINST 6320.2A/  
COMNAVSURFPACINST 6320.2A  
CNSL Code N02M/CNSP Code N01M  
WPC 046-98

JAN 28 1998

COMNAVSURFLANT/COMNAVSURFPAC INSTRUCTION 6320.2A

Subj: PROVISION OF STANDBYS DURING MEDICAL EXAMINATIONS

Ref: (a) BUMEDINST 6320.83  
(b) COMNAVSURFLANTINST/COMNAVSURFPACINST 6000.1

1. **Purpose.** To provide joint COMNAVSURFLANT/COMNAVSURFPAC policy guidance on the provision of medical standbys to ensure patients are afforded the rights to be interviewed and examined in an environment that provides reasonable assurance of propriety and privacy. To protect healthcare providers from false accusations of inappropriate behavior during medical examination.
2. **Cancellation.** COMNAVSURFLANTINST/COMNAVSURFPACINST 6320.2
3. **Background.** Reference (a) affirms the position of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) regarding medical examination under conditions of propriety and privacy. This includes the right to have a person of one's own gender present during certain parts of an examination, treatment, or procedure performed by a healthcare professional of the opposite gender. The standby serves as an impartial third party present during the procedures to enable the patient to be more at ease and to protect the provider(s) in case of allegations of misconduct.
4. **Policy.** Whenever a patient, who is of the opposite gender of the provider, is undergoing an intimate examination or procedure of a sensitive nature, generally those requiring the exposure of the genitalia, anus or the female breast, unless the medical necessity of the care requires otherwise, a standby must be utilized. All patients must be informed of the policy regarding use of a standby prior to such examinations.

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a. Normally, the standby will be of the same gender as the patient; however, if a same gender standby is not available, an opposite gender standby may be used when:

(1) The standby is a physician, dentist, physician assistant, nurse, corpsman or dental technician, and/or

(2) In sensitive cases and at the patient's request a chaplain, and/or

(3) The patient does not object due to the unavailability of a standby of the same gender. This decision will be documented in the patient's medical record.


b. Standbys need not be a member of the medical department if medical department personnel of the same gender as the patient are not readily available.

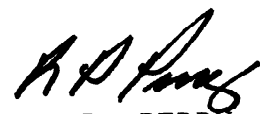
c. Should the patient desire not to have a standby present, the provider must consider the competency of the patient to waive the standby requirement. The provider's decision as to use of a standby shall take precedence. Waiver of the presence of a standby will be documented by the provider and acknowledged in writing by the patient. No standby is required when the patient and provider are of the same gender unless requested by the patient or if the provider feels that the presence of a standby is warranted.

d. The standby should be familiar with the procedures being performed and know how to report an incident should one occur. The standby should be in a position to observe both patient and clinician since judgement and observation are essential in the performance of this task.

e. The name, rate/rank of the standby shall be recorded in the medical record.

5. **Action.** Unit commanders and commanding officers shall implement the provisions of this instruction within their commands.

  
E. R. HEBERT  
Deputy and  
Chief of Staff  
COMNAVSURFPAC

  
R. P. PERRY  
Deputy and  
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